

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Erik Becerra,

Case No. 24-CV-04309 (JMB/TNL)

Plaintiff,

v.

ORDER

United States of America, Warden's,
Captain, Inmate Atnip, Lt, Psychologist,
and Prison of Rochester,

Defendants.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Tony N. Leung dated January 2, 2025. (Doc. No. 4.) The R&R recommends that the Court dismiss this action under Federal Rule of Civil Procedure 41(b). (*Id.*) Neither party has objected to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1). In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 4) is ADOPTED; and
2. The action is DISMISSED without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 3, 2025

/s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court